

Amendments to the Drawings

The attached sheet of drawings includes changes to Figs. 2A, 2B and 2C. This sheet, which includes Figs. 2A, 2B and 2C, replaces the original sheet including Figs. 2A, 2B and 2C.

In Fig. 2A, improper use of shading has been removed. In Figs. 2B and 2C, improper cross-hatching has been corrected.

Attachment: Replacement Sheet
 Annotated Sheet Showing Changes

REMARKS

The Official Action of July 28, 2005, and the prior art cited and relied upon therein have been carefully studied. The claims in the application are now claims 1-13, and these claims define patentable subject matter warranting their allowance. Favorable reconsideration and such allowance are respectfully urged.

New claim 13 has been added. Claims 1-13 remain in the application for consideration.

In response to the Examiner's objection to the specification, drawings, claims and rejection of claims 2-6, 11 and 12, Applicant has:

- (1) Amended the Abstract and disclosure to eliminate the problems identified by the Examiner;
- (2) Enclosed new Figs. 2A, 2B and 2C correcting the cross-hatching and eliminating shading, and
- (3) Amended the claims to eliminate each of the problems identified by the Examiner therein.

Applicant respectfully submits that the Examiner's objections and rejection under 35 U.S.C. §112, second paragraph, have now been overcome.

The Examiner has further rejected claims 1-6, 8, 11 and 12 under 35 U.S.C. §102(b) as being anticipated by

Robertson '494 and claims 7, 9 and 10 under 35 U.S.C. §103(a) as being unpatentable over Robertson in view of Isaac '794. Applicant respectfully traverses these rejections as applied to the claims as amended and new claim 13.

As the Examiner will note, independent claim 1 has been amended to provide that both the first and second arm are "formed as a single unit", the cross-sections of the first and second arms have different shapes, the knee-shaped element is solid therethrough and that the cross-section at each end of the knee-shaped element corresponds to the first and second cross-section of the arms. Further, claim 10 provides that the claimed recess/cavity is spaced apart from the ends of the knee-shaped element.

It is a goal of the application to employ thin-walled tubes in a wheelchair, the tubes having different forms and cross sections. This is achieved using an easily producible connecting piece, which exhibits a high firmness due to its solid construction and a light weight due to the composite material from which it is made, to connect the respective arms.

The arms of the application can have any shaped cross-section. The knee-shaped composite elements can be adapted and produced accordingly. For the first time in the

field of wheel chairs one has the flexibility to design each of the arms according to the actual need.

The cross-section of the first arm in the application is designed such that a seat element, a backrest or a braking arrangement can be attached or connected to the respective arm. The arm can "literally" have any 3-dimensional shape.

The second arm can have a different shaped cross section as compared to the first arm. The cross section of the second arm may be optimized taking into account the desired function of the second arm. It may for instance be designed to carry the front wheel supports.

Robertson is clearly not directed to achieving the results intended for the claimed invention.

In comparison to the claimed invention, it is clear that the first arm of Robertson identified by the Examiner is not formed as a single unit, as it includes a hinge 302, 304, 306, that the first and second arms of Robertson identified by the Examiner do not have different shaped cross-sections as both arms have circular cross-sections, that knee-shaped element 104 of Robertson is not solid therethrough as it is tubular, and that the knee-shaped element 104 of Robertson does not have at each end a cross-section corresponding in

shape to that of the first and second cross sections of the arms.

In addition, the knee-shaped element 104 of Robertson is not made from a composite material as claimed.

Finally, Robertson does not mention glue at all and it remains unclear how the adhesive bonding is done. The term bonding typically is used to refer to a metal-metal (purely mechanical) connection rather than a metal-glue-composite connection. The Examiner mentions that an adhesive is used by Robertson, but Applicant does not agree.

Accordingly, the prior art relied upon by the Examiner does not address the idea of using a solid composite element to interconnect two tubes having different shaped cross-sections. The idea to employ a knee-shaped element in the way described and claimed is not described and there is no teaching that would lead a person skilled in the art in this direction. When studying the Isaac patent a person skilled in the art would draw the conclusion that solid composite elements can only be used in straight sections of a frame. All parts of the frame (cf. Fig. 9 of Isaac) which are complicated in shape seem to be made using conventional tubes.

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Amdt. dated October 28, 2005
Reply to Office Action of July 28, 2005

Acknowledgement by the PTO of the receipt of applicants' papers filed under Section 119 is noted.

The prior art documents made of record and not relied upon have been noted along with the implication that such documents are deemed by the PTO to be insufficiently pertinent to warrant their applications against any of applicant's claims.

Favorable reconsideration and allowance are earnestly solicited.

Respectfully submitted,

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ANNOTATED DRAWING SHEET SHOWING CHANGES

